

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**RUDOLPH SMITH**

**PLAINTIFF**

**VS.**

**3:04CV196-JCS**

**CHRISTOPHER EPPS, ET AL.,**

**DEFENDANTS**

**AGREED ORDER OF SETTLEMENT AND DISMISSAL**

The Court having been advised that the parties have compromised and settled the dispute arising from this cause of action, it is hereby

**ORDERED:**

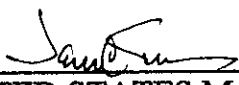
That the above styled and numbered civil action be, and hereby is dismissed with prejudice, subject to the following provisions:

1. Defendants agree to send the Plaintiff to a dentist or oral surgeon who will determine what, if any, dental procedure is necessary for realignment to make the Plaintiff's dentures fit properly on his mandible.
2. The parties expressly acknowledge that no property or liberty right attaches to this agreement except those rights already guaranteed by law.
3. It is expressly understood by the parties that the provisions of this order do not constitute a "prevailing" or an admission of liability


by the Defendants or a recognition or vindication of Plaintiff's constitutional rights and are agreed solely as a compromise to avoid expense and to terminate all controversy and claim for damages arising from the incidents set forth in Plaintiff's complaint herein.

4. The parties hereby obligate themselves to seek in good faith an informal resolution to any dispute as to term or applicability of this order prior to instituting any recommended action relative thereto.
5. Each side shall bear its own costs incurred including all attorneys' fees and expenses pursuant to the instant motion.

**SO ORDERED AND ADJUDGED**, this, the 6 day of Oct, 2006.

  
UNITED STATES MAGISTRATE JUDGE

APPROVED:

  
RUDOLPH SMITH, 12824  
PLAINTIFF PRO SE

  
LEONARD C. VINCENT  
ATTORNEY FOR DEFENDANT